IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 2271 of 2005
Date of Decision: September 05, 2006

State of Punjab and another .....Petitioners

versus

Bawa Amar Singh etc .....Respondents

Present:- Shri Sushant Maini, Deputy Advocate General, Punjab, for the petitioners

Shri Hitesh Sood, Advocate, for the respondents

HEMANT GUPTA, J.

The challenge in the present revision petition is to the order passed by the learned trial Court on 14.10.2004 whereby the defence of the petitioners was struck off for not filing the written statement.

Though I do not find that there is any justification for not filing the written statement within the time granted by the learned trial Court, but keeping in view the fact that the State should be permitted to contest the petition on merit, I deem it appropriate to grant one opportunity to the petitioners to file written statement subject to payment of Rs.3000/- as costs. Ordered accordingly.

The parties through their learned counsel are directed to appear before the learned Additional District Judge, Amritsar, on 16.10.2006 on which date the petitioners shall pay the costs of Rs.3000/- and also file the

written statement. Failure to pay the costs and to file the written statement will debar the petitioner to contest the petition on merits.

A copy of the order be given Dasti on payment of usual charges.

September 05, 2006 (HEMANT GUPTA)
ks JUDGE